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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JUAN C. VIVES, JOSEP MARIA SERRA,
and KURT EUGENE THIESSEN

Appeal 2009-010752
Application 10/686,909
Technology Center 2800

Before ROBERT E. NAPPI, MARC S. HOFF, and
CARLA M. KRIVAK, *Administrative Patent Judges*.

KRIVAK, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from a final rejection of claims 43-52 and 55-58. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

STATEMENT OF THE CASE

Appellants' claimed invention is a system for simultaneously printing on two or more media surfaces (Spec. ¶¶ [0001], [00011]).

Independent claim 43, reproduced below, is representative of the subject matter on appeal.

43. A system for simultaneously printing on two or more media surfaces, comprising:

at least one printing unit disposed on a closed printhead path; and

a print medium feed unit adapted to feed at least one print medium through said closed printhead path, said at least one print medium including two or more print surfaces; and

means for electrically communicating with a print controller as said printing unit travels along said closed printhead path, said means for electrically communicating includes conductive brushes extending from said printing unit, said brushes being adapted to communicate with a conductive bus positioned around said closed printhead path;

wherein said printing unit is adapted to travel along said closed printhead path to print on at least two print surfaces.

REJECTIONS

The Examiner rejected claims 43-51 under 35 U.S.C. § 103(a) based upon the teachings of Wright (US 5,456,539; Oct. 10, 1995) and Burikov (US 6,341,839 B1; Jan. 29, 2002).

The Examiner rejected claim 52 under 35 U.S.C. § 103(a) based upon the teachings of Wright, Burikov, and Inoue (JP 04310770 A; Nov. 2, 1992).

The Examiner rejected claims 55-57 under 35 U.S.C. § 103(a) based upon the teachings of Wright, Burikov, and Shen (US 6,623,105 B1; Sep. 23, 2003).

ANALYSIS

Appellants contend it would not be obvious to modify Wright based on Burikov because neither Wright nor Burikov, alone or in combination, discloses conductive brushes that communicate with a print controller, as claimed (App. Br. 7; Reply Br. 2).

Burikov discloses using brushes to apply electric current to a power supply of a carriage and to other power consuming devices. An ink feeding mechanism includes, among other things, an electric drive control unit and an electronic controller that communicates with a control unit over a radio channel (col. 4, ll. 10-20). Further, the controller puts information onto a substrate by operating the jet elements (col. 4, ll. 53-57).

Appellants assert page 12, lines 23-26, of their Specification supports the claimed limitation “means for electrically *communicating* with a print controller . . . , said brushes being adapted to communicate with a conductive bus positioned around said closed printhead path” (emphasis added). However, page 12 of Appellants’ Specification merely states “the printing unit 404 may be electrically *connected* to drive circuitry (not shown) via brushes 502 . . . [t]he brushes . . . coupled to power bus lines 518 that provide power for firing selected resistors to cause ink ejection from associated nozzles within the printing unit 404” (App. Br. 3) (emphasis added). Thus, there is nothing in Appellants’ Specification supporting

Appellants' definition of brushes *communicating* with a conductive bus, as alleged.

In both Burikov's and Appellants' inventions, there is electrical communication that controls the operation of the ink jets (*see* Burikov, col. 4, ll. 53-54). That is, in Burikov, the brushes supply power to the carriage that contains the inkjets, as does Appellants' claimed invention. Thus, we agree with the Examiner that Burikov teaches means for electrically communicating with a print controller by passing power from a bus to a print controller using brushes (*see* Ans. 8-10). Appellants have not contested Wright's teaching a system using dual print means to print on two sides simultaneously. Therefore, the combination of Wright and Burikov renders obvious Appellants' recited structure in claim 43, and dependent claims 44-51 (Ans. 8).

With respect to the remaining claims, Appellants' arguments rely on those presented with respect to claim 43, further alleging the additional references do not cure the deficiencies of Wright and Burikov (App. Br. 9, 10). Thus, for the reasons presented above with respect to claim 43, claims 52 and 55-57 are obvious over the collective teachings of the cited references.

With respect to claim 58, this claim was not argued by Appellants. Thus, this claim is pro forma obvious over the cited references.

DECISION

The Examiner's decision rejecting claims 43-52 and 55-58 is affirmed.

Appeal 2009-010752
Application 10/686,909

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv)(2010).

AFFIRMED

babc